

**IN UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

PARTEC AG AND BF EXAQC AG,

Plaintiffs,

v.

MICROSOFT CORPORATION,

Defendant.

Case No. 2:24-cv-00433-RWS-RSP

JURY TRIAL DEMANDED

**DECLARATION OF BETTY CHEN IN SUPPORT OF DEFENDANT MICROSOFT
CORPORATION’S UNOPPOSED MOTION FOR LEAVE TO SUPPLEMENT
INVALIDITY CONTENTIONS**

I, Betty Chen, declare as follows:

1. I am an attorney duly licensed to practice law in California, Texas and Washington, and admitted to practice before this Court. I am partner with the law firm of Desmarais LLP, attorneys for Defendant Microsoft Corporation (“Microsoft”) in the above-captioned case.

2. The matters set forth herein are within my personal knowledge and if sworn as a witness I could competently testify regarding them.

3. On October 15, 2024, Microsoft issued a subpoena for deposition testimony and production of documents on third-party SchedMD LLC (“SchedMD”) concerning the SLURM prior art. On October 24, 2024, Microsoft’s subpoena was served on SchedMD. SchedMD requested several extensions to respond to Microsoft’s subpoena and served its responses to the subpoena on December 4, 2024. On January 31, 2025, Microsoft received a production of 115 documents from SchedMD. Microsoft continued to locate additional documentation concerning the SLURM prior art. In February 2025, Microsoft located additional SLURM documentation dated prior to October 13, 2010 upon its search through public SLURM archives.

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct and that I executed this declaration on the below date in San Francisco, California.

Dated: April 10, 2025

/s/ Betty Chen

Betty Chen

Betty Chen
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